



DATE:	November 13, 2015
APPROVED BY:	Russell D. Schaedlich, Secretary

## **MINUTES OF THE LAKE COUNTY PLANNING COMMISSION**

**October 20, 2015**

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chair Zondag called the meeting to order at 6:35 p.m.

### **ROLL CALL**

Mr. Schaedlich took a roll call attendance and the following members were present: Messrs. Adams, Brotzman, Morse, Schaedlich, Valentic, Walker (alt for Malecek), Zondag and Mmes. Hausch and Pesec (Alt. for Moran). Legal Counsel present was Assistant Prosecutor Gianine Germano. Planning and Community Development Staff present were Mr. Radachy, Ms. Jordan and Ms. Myers.

### **MINUTES**

#### August 2015 Minutes

Ms. Adams moved and Ms. Hausch seconded the motion to approve the September 29, 2015 minutes as submitted.

Seven voted "Aye".  
One abstained.

### **FINANCIAL REPORT**

Mr. Radachy said the County put money into the office account to cover staffs' GIS licenses and the staff needs to ask for more money to cover dues for Ms. Jordon's APA membership.

Mr. Morse moved and Ms. Pesec seconded the motion to accept the August 2015 Financial Report as submitted.

All voted "Aye".

## PUBLIC COMMENT

There was no comment from the public.

## LEGAL REPORT

Ms. Germano said there was no legal report.

## DIRECTOR'S REPORT

Mr. Radachy discussed several items:

- As of October 13, 2015, Monica Jordan completed her six month's probation. She is now an official member of the Lake County Planning and Community Development staff.
- We completed the Painesville Township Comprehensive Plan. We are going to discuss final comments with the Comprehensive Plan Committee. They should be submitting the Plan to their Zoning Commission, who, in turn, should submit it to the Trustees.
- We are currently helping Fairport Harbor with their Comprehensive Plan and have spent a lot of time in Fairport helping them deal with the conversion of Nautical Ridge.

Mr. Zondag asked the length of time staff had been working on the Painesville Township Plan.

Mr. Radachy said it has been just over a year. It was supposed to take us six to eight months, but it took a while to get their surveys done and a couple meetings had been skipped while the survey information was tallied.

## ANNOUNCEMENTS

There were no announcements.

## SUBDIVISION REVIEW

### Concord Township - Eagle Estates Preliminary Plan, 15 Lots, 11.71 Acres

Mr. Radachy stated the Public Hearing on the Preliminary Plan of the Eagle Estates Subdivision was held just prior to this meeting.

Ms. Jordan introduced the Eagle Estates' Preliminary Plan in Concord Township consisting of 15 sublots and 11.71 acres. The Developer is Zerbe Construction LLC and the

Engineer is Polaris Engineering & Surveying. This Subdivision will occur in a single phase and will consist of single-family houses. There is an existing house located on the property that should be treated as a lot split and not part of the subdivision (1.32 acres), which leaves 10.39 acres with the average lot size being 0.59 acres. The Subdivision is located on Morley Road adjacent to Concord Commons.

Mr. Zondag asked Mr. Radachy if this was R1, single Family Residential.

Mr. Radachy replied yes. The original R-1 was developed in 1957 in a Concord Township Zoning Resolution. Concord Township had called the staff today and mentioned that 0.5 acre lots were added in 1967.

Mr. Radachy said Wellsley Chase is unique because it is a standard R-1 subdivision which has some open space that makes it look like a conservation development. It is similar to what Mr. Ed Walsh did at Ellison Creek. Knightsbridge is an R-1 subdivision that has three-quarters to one-acre lots. This was one of the first developments to move into the area. Carriage Hills Subdivision has half-acre lots. Not shown on the map is Mountainside Farms, which will be built with about 110 half-acre lots. The sublots average from .505 up to 1.75 of an acre of land.

Mr. Zondag asked if any of these were from variances or standard-sized lots.

Mr. Radachy said there has been R-1 zoning since 1957.

Ms. Pesec commented that R-4, which is one-acre lots, are found east of Ravenna Road.

Mr. Radachy stated there were zoning classifications, R-6 and R-8. R-6 has three-acre lots and there is one development, Mount Royal, off Hermitage Road. There is an R-8 development off Hermitage Road called Little Mountain Country Club with one unit per three acres.

Mr. Schadelich stated that Mount Royal actually installed water lines and sanitary sewer after the fact.

Mr. Radachy said R-6 originally had a reduction clause in it for where there was a two-acre minimum and there was no sanitary sewer; they were allowed to reduce to under one acre. Before they brought the sanitary sewer in, the neighbors in Mount Royal proposed a zoning text amendment to change the zoning to limit it to two-acre lots. He added that the Harwood Subdivisions were also R-1 even though there were two-acre minimums set by deed restriction. Deed restrictions are enforced by the Homeowner Associations or the neighbors as opposed to zoning, which is enforced by the Township Zoning Inspector.

Mr. Zondag asked Mr. Radachy if he was saying lot sizes can be changed by a homeowner.

Mr. Radachy said that, depending on the lots and the configuration of the homes on the current fringe, there is a possibility that those lots could be split. They are zoned R-1. We cannot enforce deed restrictions. What is happening is that a property owner or neighbor will

split their lot and improve it. This delays the injunction itself. Normally, we could not do this because our jurisdiction is zoning only.

Ms. Jordan showed the aerial view of the site off Morley, which borders Chardon Township and a map that showed all the subdivisions near this site. All buildings on the site were R-1.

Mr. Radachy stated that the Highlands of Concord are condominiums. These were duplex condominiums, unique to Concord Township. In Concord Zoning, they allowed for multiple dwelling units to be built on lots as long as it could be shown that the property could be divided. This was an R-1 and a condominium project. The developers used large frontages and showed how they could get duplexes there, which is 50/50/85 of frontage with 100 feet at the building setback line. They showed how they could build the buildings, came back with a condominium plat and made condominiums of it. This is unique to Concord and not normally done in other communities.

Mr. Schaedlich said he believed there was a development that had sewers on Auburn Road just north of Prouty Road done in the same manner. Mr. Radachy said there were a couple of them. There is one on Auburn Road and one on Prouty Road. This was a very common practice in the late 90's and the turn of the century. Even the condominiums were R-1 on half-acre lots.

#### Proposed Preliminary Plan Stipulations:

1. The Preliminary Plan and application include the lot with the existing house as part of the overall acreage for the Subdivision. This lot is also being included in the number of lots listed on the application and Site Data block on the Plan. The lot with the existing house is not part of the Subdivision and shall be treated separately as a lot split. *L.C. Planning & Community Development*
2. The average lot size shown on the application is inaccurate. 0.56 acres is listed as the average, but according to the lot sizes noted on the Preliminary Plan, the average lot size is 0.59 acres. *L.C. Planning & Community Development*
3. Boundaries of the Subdivision must be indicated by a heavy line. The current boundary includes the lot with the existing house. As this is not part of the Subdivision, it should not be included within this boundary. *Article III, Section 3(D)(e)*
4. Names of adjacent subdivisions must be included on the Plan. *Article III, Section 3(D)(g)*
5. Proof of the formation of a Homeowner's Association and a copy of any recorded covenants and restrictions shall be provided to the Township at the Final Plat stage. *Concord Township Trustees*

#### Proposed Design Stipulations:

1. The existing driveway on Parcel 1 shall have a three (3) foot setback from any lot line per Section 15.03(F)(2) of the Concord Township Zoning Resolution. *Concord Township Trustees*

2. Driveways for Sublots 1 and 14 shall be restricted to the proposed Judge's Court. *Concord Township Trustees*
3. Sublots 1 and 14 must be facing Judge's Court. If facing Morley Road, the Sublots do not meet rear yard setbacks. *Article IV, Section 7(A)(1)*
4. All existing structures must meet Township zoning setbacks or be removed. *Article IV, Section 7(A)(1)*
  - a. What is the timing of the demolition for the existing accessory building on the lot?  
*Concord Township Trustees*
5. The building envelopes shown for Sublots 8, 9, 13, and 15 encroach the required minimum yards, as set forth in Section 15 of the Concord Township Zoning Resolution and shown on the Preliminary Plan. *Concord Township Trustees*
6. Per Section 30.04 of the Concord Township Zoning Resolution, two (2) gateway signs are permitted at the entrance of the Subdivision. Sign/landscaping easements should be indicated on the Final Plat, along with the location, width, bearing and dimensions for such uses. Please note that any sign shall have a setback of at least ten (10) feet from any road right-of-way and not within a visibility area, as defined in Section 30.02. *Concord Township Trustees*
7. The hydrant located at the entrance of the Subdivision is too close to the proposed pavement. It is recommended that it be relocated further from the proposed pavement and on the other side of the street so all hydrants are located on the same side of the street. *Article V, Section 9(A)*
  - a. Hydrants are to be spaced no further than 500 feet apart. Fire hydrants are to be placed at the beginning of the street and at the entrance of the cul-de-sac. Streets longer than 800 feet are to have a hydrant at the midpoint of the street. If the first hydrant is at the entrance of the Subdivision it will not have to be relocated. The middle hydrant should be moved to the mid-point, and if possible the hydrants should be moved to the other side of the street. In Concord Resolution #90-17 states that there will be no parking on the hydrant side of the street. With there being hydrants on both sides of the street then there would be no parking on either side. *Concord Township Fire Chief*
8. The Site is split in the middle as far as drainage flow goes. Two basins may be required. *L.C. Engineer*
9. Based on the Preliminary Plan, the Health District's recommendation is to continue the swale to the storm drain between Sublots 1 and 2, or put in a basin to collect the discharge from the swale. The Health District is concerned that the swale will empty right behind the property at 9855 Little Mountain Road, which will possibly cause a problem for the sewage system on their property in the future. *LCGHD*

Proposed Design Comments:

1. Based on the lot areas provided on the Plan, this Subdivision will be limited to single-family dwellings per Section 15.04 of the Concord Township Zoning Resolution. *Concord Township Trustees*
2. Concord Township Fire Department will require a street "name change" if it is determined the name is similar to others already established in Concord Township. *Concord Township Fire Chief*
3. Roadways shall have an unobstructed width of not less than 22 feet and shall not exceed 10 percent in grade with all turns having a minimum turning radius of 28 feet. All cul-de-sacs must be provided with a minimum diameter of 120 feet. All driving surfaces are to be capable of

supporting the imposed load of fire apparatus weighing at least 75,000 pounds. *Concord Township Fire Chief*

4. A street name sign and "No Parking on Hydrant Side of Street" signs shall be provided and installed prior to start of construction on any structure. Street signs shall be in accordance with the Ohio Fire Code 505.2 and be double-sided. All contractors are to be instructed not to park on the hydrant side of the street. *Concord Township Fire Chief*
5. Building numbers or identification must be provided during all phases of the construction of a structure. *Concord Township Fire Chief*

Proposed Technical Stipulations:

1. Until plats and plans for the Subdivision are approved, properly endorsed and recorded, no improvements, such as sidewalks, water supply, storm sewers, sanitary sewerage facilities, gas service, electric service or lighting, grading, paving or surfacing of streets shall hereafter be made by the owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent. *Art. I, Sec 4, B*
2. A Storm Water Pollution Prevention Plan must be prepared for erosion and sediment control. Effective March 1, 2000, an approved Erosion and Sediment Control (ESC) Plan shall be submitted after the approval of the Preliminary Plans and obtained prior to the approval of the Improvement Drawings by the Lake County Planning Commission (Section 5 of the Lake County Erosion and Sediment Control Rules, adopted 12/21/99). ESC Plan approvals shall be obtained through the Lake County Soil and Water Conservation District.  
*Article IV, Section 3(E); Article IV, Section 3(F); Article V, Section 4(A); Article V, Section 4(B); Article V, Section 4(C)*
3. Any subdivision with a preliminary plan filed after 1/27/04 will be required to provide a three-year maintenance bond or surety when the subdivision goes into the maintenance phase. *Article V Section 8(D)*
4. Post-construction BMPs are required. *L.C. Engineer*
5. Sanitary installation under Morley Road shall be bored. *L.C. Engineer*
6. Site plans must contain a Storm Water Pollution Prevention Plan (SWPPP). *L.C. SWCD*
7. An easement will be required on Sublot 15 for the sanitary sewer lateral to the existing house. *L.C. Sanitary Engineer*
8. Fire flows must meet ISO minimum requirements for size, type and spacing of structures built. *Concord Township Fire Chief*

Proposed Technical Comments:

1. The Subdivision is subject to detailed review of Improvement Drawings and Plat. *L.C. Engineer*
2. A detailed review will be completed when detailed drawings are submitted to this office. *L.C. Sanitary Engineer*

Ms. Jordan continued the description of this Subdivision by stating the main concerns in the submitted stipulations. Sublots 1 and 14 must be facing Judge's Court. If they face Morley

Road, they do not meet rear yard setbacks, which are 40 feet in Concord Township. The hydrant located at the entrance of the Subdivision was too close to the proposed pavement. It was recommended that it be relocated further from the proposed pavement and on the other side of the street so all hydrants were located on the same side of the street. This would also allow for parking on one side of the street as you cannot park on the hydrant side of the street.

Based on the Preliminary Plan, the Health District's recommendation was to continue the swale to the storm drain to Sublots 1 and 2, or put in a basin to collect the discharge from the swale. The Health District was concerned that the swale would empty right behind the property at 9855 Little Mountain Road, which will possibly cause a problem for the sewage system on that property in the future.

Mr. Brotzman asked where the swale was located on the map and was told it was behind Sublots 2, 3 and 4.

Ms. Jordan also brought to the member's attention that the site was split in the middle as far as drainage flow goes. Two basins may be required per the County Engineer.

Mr. Radachy was asked to talk about the topography of the site. He stated there was a high point of 1,030 feet on Morley Road and that flow goes towards Kellogg Creek and then parts towards a stream by Carriage Hills Subdivision. The County Engineer was saying that a further engineering review may show the need for a second detention pond. Upon review of the Preliminary Plans, the County Engineer will review the drawing, review drainage calculations and make a determination if two small detentions ponds or one large detention pond will be needed. The Developer is currently proposing to have yard drains between Sublots one and two, three and four, five and six, and seven and eight and depositing the water into the detention pond.

Mr. Valentic stated there was a ridge in the middle of the property so there was a high point there. If they send water one way, they might potentially overload that downstream system and that is why the Engineer was recommending that it might need to be separated. That way, as the development goes, the runoff will not be overloading one natural corridor.

Ms. O'Flaherty stated that they already get overflow from Tewksbury Lane. That is why they have the erosion problem on their property. Concord Township does not want to fix the problem and Geauga County does not want to fix it. Concord fixed it by putting tar in the valleys to keep it from washing away. When the garbage men are on their street, you have to wait and pull off because there is not enough road. This is the issue they are worrying about. More erosion would be a problem for them because they already had a problem.

Mr. McConnell was concerned that they would be cutting down trees for the swales.

Mr. Radachy thought they may be cutting down some trees because they would be grading this area in order to have the proper flow into the swale and they do not want to have vegetation there. Swales will need to be graded every once in a while to make sure the water keeps flowing in that direction.

Mr. Brotzman wanted to know how wide the swale would be and Mr. Radachy said it depends on the situation and how much water was going through it. He said the swale in question was within the 40-foot setback of Concord Zoning so it would be about 20 feet wide.

Mr. Brotzman was concerned about what kind of setback the edge of the soil in the back where it touches adjoining properties had to have from the property line.

Mr. Radachy replied that there is no setback requirement for a swale. The Developer's Engineer has to have some leeway to design it and have swales done properly.

Mr. Radachy showed Mr. Zondag the location of the house in the 1.32 acres that would be coming off the site. There was also a barn that would require the property lines to be adjusted.

Ms. Jordan stated the staff's recommendation was to approve the Eagle Estates Subdivision Preliminary Plan with five Preliminary Plan stipulations, nine design stipulations, and five design comments, eight technical stipulations and two technical comments.

Mr. Walker was concerned about having received reports from ODNR regarding the setback area in Sublots five and six, the wetland area.

Mr. Radachy explained this is part of the County Subdivision Regulations. They require a wetlands delineation to be done. The Developer is required to obtain the services of a professional wetlands contractor to look at the site and who had determined the rating of these wetlands to be an 11 per the U.S. Army Corps of Engineers requirements, but it is not an affirmed decision by the Corps. There is the possibility that the Army Corps of Engineers may not agree with the Developer's wetlands contractor.

Mr. Valentic inquired on the timing of getting a Corps affirmation and Mr. Radachy stated it would be done somewhere between the Preliminary Plan and the Final Plat submittal. The Corps does reviews on their time schedule. The Improvement Plans cannot be accepted until they have the Corps review. Lake County Soil and Water Conservation District will not sign off on the Improvement Plans until the review has been made and submitted to them. And, the Sanitary Engineer will not sign off until Ohio E.P.A. has signed. We do not have jurisdiction on this.

Ms. Pesec asked for Soil and Water's comments and was told they had submitted one stipulation at this time, which read, "Site plans must contain a Storm Water Pollution Prevention Plan (SWPPP)." This was actually listed as technical stipulation number six in tonight's handout. They had not received a copy of this Subdivision's SWPPP yet. They had received a copy of the proposed Preliminary Plan.

Mr. Schaedlich said this was a standard stipulation because this is only the Preliminary and all the work has not been done yet.

Mr. Brotzman asked if the post-construction BMPs required by the County Engineer were also a standard stipulation at this point.



Mr. Radachy stated that "BMPs" stands for Best Management Practices. That is usually a Stormwater function and more about water quality as it leaves the site as opposed to water retention.

Mr. Brotzman questioned if both technical stipulations numbers four and six were sort of default recommendations that may prove that it is or is not feasible based on what they discover after they get the Preliminary.

Mr. Radachy replied that Soil and Water is in charge of soil erosion control per the Soil Erosion Control Regulations.

Mr. Brotzman asked who would make the determination about how much storm water potentially would be generated from the upland properties and Mr. Radachy replied that the Developer of the property engages the services of an engineer who designs the property to handle the storm water on the property by detaining it and releasing it. Those are part of the Improvement Plans submitted to the Planning Commission. We review them and after we okay them, they go on to the next step. The Developer's Engineer and the County Engineer will go back and forth on drainage calculations to determine if the proposed concept meets drainage regulations. The County Engineer will determine how the water is contained on the site. He reviews it, his staff reviews it, and checks their storm water calculations in terms of meeting the requirements.

Mr. Brotzman stated that it seemed to him from the comments made today that a large portion of the concern of the residents relates to how much additional storm water they are likely to see.

Mr. Zondag referred Mr. Brotzman to Technical stipulation number one.

Mr. Schaedlich said another thing the Engineer's office's process is supposed to determine is that the amount of water leaving the site should not increase after it is developed. Their job is to capture this runoff. It is supposed be a washout of previous flow to post-development flow. They could choose to keep it on site and release it slowly so it does not spike because of the development.

The County Engineer is in charge of the Stormwater Department and the County Engineer's Department. He is the drainage engineer and he is the stormwater engineer. As the drainage engineer, he is the one who is to make sure runoff does not have an effect on the neighbors. The Stormwater Department is in charge of ensuring water quality. They have the option of creating regional detention ponds on regional streams in various locations. The Stormwater Department can design and build these ponds or they could have the developer subgrade his pond to take additional flows from other developments. Staff was not aware of them having created any regional ponds.

Mr. Morse asked if Little Mountain Road was maintained by Concord Township or the County and Mr. Radachy stated that the section from Morley Road back up to the mountain is a Concord Township road. Morley Road is a County road and from Morley Road back up to the hill is also. This information was based on a map received from Mr. Frank Kraska, which shows Little Mountain Extension as a County road. Judges Court will be Township road.

Ms. O'Flaherty insisted the repair of Little Mountain Extension was being done by Geauga.

The Chair opened the discussion to the audience.

Mr. Don McConnell who lives on Little Mountain Road just behind the Mitroviches made comments on the storm water runoff. When you talk about a swale, two things come to his mind. If a swale is done or dirt is brought in, either way that water will find its way to his home because he was the lowest property on the street. If they bring in dirt, they will still crush tree roots in the tree line on his property. Everybody's trees will be subject to that. He asked how deep the swales had to be and what happens if it backs up then?

Mr. Radachy stated that we do not know if they are going to bring in dirt or dig a swale. We do not have fully-designed engineer's drawings. That will be determined by the Improvement Plans. We do not have any requirements to save trees. We are only doing infrastructure to move water and build roads. If the trees die, it may be assumed it could be a civil issue.

Mr. Lawrence Lennon at 8280 Morley Road has lived there for 30 years. In discussing swales going off Pinecrest to Harwood and some developments up there which were cut from part of the King-Schaffer property, swales between the properties worked pretty well for the last 30 years. It was never a question then.

Mr. Lennon had looked at the McConnells' property because it was very reasonably priced. He was reluctant to purchase it because the pond that is so beautiful today was a retention basin in the past. The water comes down off the mountain and winds up going across Little Mountain Road to the McConnell property. When he had looked at the property, he was reluctant to purchase it because he questioned if the Army Corps of Engineers would let him put in a spillway, which in turn, would funnel that water across Morley Road behind what is known as Holden Ridge. Again, there is a spillway there. In his mind, it was much too small and was not engineered properly so the water backs up all the way up through the ditches going all the way to the top of the mountain. In the last five years, there has been more erosion to those ditches than there ever was in the 30 years in which he had lived there. No one complained all those years. Now if you go up there, you will see massive swales and massive ditches caused by erosion because the water cannot flow freely to go across Morley Road. There is a little tiny spillway about three foot across that used to be open and fell right into the creek. When it rained, he used to love to go over and see the water cascading down. Of course, it is restricted today except for very torrential rains. He questioned if that pond was ever approved by the Army Corps of Engineers.

Mr. Walker moved to approve the Eagle Estates Preliminary Plan with all the stipulations and comments submitted. Ms. Hausch seconded the motion.

Mr. Brotzman stated that if the Preliminary Plan is moved forward, that allows the Developer and Engineer to work on the details that have been discussed here tonight. Potential problems and solutions will be uncovered in the next process. Mr. Radachy agreed.

Mr. Schaedlich said then you would give the applicant more opportunity to react to our concerns on the property. Preliminaries are basically a concept of what the applicant would like to do. We give them the go ahead on that Plan unless it is something that is really terrible. When the Commission gives approval for this Plan, the applicant and his engineer have the ability to come up with solutions to the comments and stipulations that we provide them and to work with the individual agencies at the County level to come up with a better Plan. Without giving them the opportunity to do that, there is just nothing.

Mr. Walker thought the Subdivision Regulations did not control the density of this Plan.

Mr. Radachy said the density is defined by Township zoning. We do not have control of that.

Ms. Pesec said that without a plan, they came up with this Plan. If they did not have an approved Preliminary Plan, they could continue to come up with a plan to do something.

Mr. Schaedlich said that they may find in a new network that some things cannot be done as they anticipated them.

Ms. Pesec continued saying that if the Preliminary Plan is not approved, the applicant could still continue to work with any County agency at any time.

Mr. Radachy explained if this Plan is turned down, the applicant can take our comments and redesign the Preliminary Plan and will need to resubmit a new Preliminary Plan next month based on these stipulations. He can make a better plan, but must go through the whole process again. He also has the option to appeal to the Common Pleas Court as an appeals board. If he feels this Body did not make a sound decision, he could appeal the decision with them directly and the Commission's decision could be overturned.

Ms. Pesec said that is an option when we do anything.

Mr. Zondag questioned what would stop us from approving this Plan that we have the authority to say. We are following a set of rules. We have to be prudent in hearing all sides, which is why we had a public hearing. Where does our authority stop and where does the responsibility of the Township start? We are supposed to be unbiased in this position. It is a hard position to be in, but this Commission needs to ask the questions within our framework of approval. Is there something we should be discussing at this time? Is there something we have not seen that we should be talking about in this discussion? What did we miss that we should basically be discussing or that should be weighing in here in the stipulations?

Mr. Brotzman asked Mr. Radachy how many points were thrashed out in the Pre-application Conference meeting to arrive at this?

Mr. Radachy referred to the notes from the Pre-Application Meeting and stated that the meeting was attended by Robert Zerbe of Zerbe Construction; Dusty Keeney, Polaris Engineering; Bruce Bullard, Concord Township; Heather Freeman, Concord Township; Richard Smith, Lake County Building Inspection; Sarah Cerovski, Lake County Utilities; George Hadden,

Lake County Engineer; John Niedzialek, LCSWCD; Nick Agins, LCSWCD; Monica Jordan, LCPCD staff; and Ann Myers, LCPCD staff.

The County Engineer issues discussed:

1. The pond needs an easement.
2. Yard drains needed for every lot.
3. The existing house is tied into the private sewer of the adjacent condominium development. The property owner paid a tie-in fee. Where does the sewer line become private? Where does the existing house connect?
4. Public sewer is available across the street from the proposed subdivision.

Lake County Soil and Water Conservation District issues discussed:

1. Proposed basin located on Lordstown soils, which do not hold water and are likely to leak.
2. Vernal pools found on property. Must explore the potential existence of wetlands.
3. Evidence of long-term standing water on Sublot 12 (Based on their thorough review, not an actual site review.)
4. "Conservation Development" style plan is always recommended to explore on such a site. (A Conservation Development requires a district change that would take 90 to 120 days. The Developer opted for a Conventional Subdivision.)

Utilities issues discussed:

1. Capacity available for the proposed subdivision.
2. Utilities must be in the right-of-way.

Concord Township Zoning issues discussed:

1. Double frontage of the existing house must be dealt with. Developer considering green space to reduce frontage. (Developer opted to make the two adjacent sublots elongated to connect together to avoid the double frontage.)
2. Easements required for entryway signs.
3. Permits required for entryway signs.
4. Clear-cutting of wooded areas to take place as Sublots are developed.

Planning Commission issues discussed:

1. 15-foot utility easements must be included in the Preliminary Plan, including easements for utilities outside of the right-of-way.
2. Double frontage lots are prohibited by the Regulations.
3. Proposed and existing fire hydrants must be included in the Preliminary Plan. Hydrants are required at the entrance and end of all cul-de-sacs 400 ft. in length or longer.
4. The type of water supply and wastewater disposal proposed must be noted on the plan.
5. The scale of the Preliminary Plan must be accurate.

Ms. Pesec asked about any water flow discussion and was told there was none at the time other than the proposed basin located on Lordestown soils, which do not hold water and are likely to leak. There was nothing mentioned about detention or storm water.

Mr. Brotzman stated that the gentleman who spoke last mentioned deteriorating conditions towards the head of Little Mountain Road. Were any of these conditions documented by Concord Township's Road Department? Mr. Radachy said he did not know. Could that have an impact on the flooding potential for this property? Mr. Radachy said that was possible.

Mr. Radachy said this Subdivision is on Mitroviches' property and the Commission is to look at the proposed road and detention on the site. He confirmed that comments could be made on this site. We need to address the County as a whole to make sure that we do not aggravate the situation. We need to acknowledge that the current amount of runoff needs to be the same amount as post development.

Mr. Brotzman stated they should also be aware of potential water flow entering the Subdivision that may not already be accounted for.

Mr. Radachy said it will be part of the detailed engineering review of the Improvement Plans.

Mr. Zondag suggested Mr. Walker add a comment to his motion to look at the potential flooding issues that can occur off the Little Mountain territories and the adjacent regions and the impact this property would have on these issues.

Mr. Walker and Ms. Hausch agreed to this modification.

Mr. Radachy stated that he believed the time to ask for calculations would be when the Improvement Plans are submitted. At this time, there are no calculations.

Ms. Pesec wanted to make a comment about seeing the calculations when the Improvement Plans are presented.

Mr. Walker and Ms. Hausch agreed to this modification.

Mr. Brotzman asked the Assistant Prosecutor if Article 1, Section 4E could be added as a stipulation – In all subdivisions, due regards shall be given for preservations of the site for historic sites, natural resources and water courses?

Ms. Germano said it was a correct citation to the Subdivision Regulations. It is contained within the general provisions in Article I, Section 4E. This is something that the Board can take into account when making their deliberations as a general consideration.

Mr. Brotzman wondered if any individuals were there in the pre-application meeting from the Historical Society and Mr. Radachy said none were present.

Mr. Radachy said staff has a map of local County historical sites and the national historical sites. None of them appear on this property. The house was built in 1976 and the barn at a similar time.

Mr. Brotzman wanted at least a comment on natural features and water courses per Article I, Section 4E asking the Developer to look at that as a general consideration.

Mr. Radachy said it could be stipulated because it is in the Subdivision Regulations.

Mr. Walker and Ms. Hausch agreed to add the stipulation to the motion to have the Developer review items of any historical significance on the site, natural features and water courses per Article I, Section 4E.

Mr. Valentic suggested talking about buffering at this time.

Mr. Radachy said the Regulations do not mention that buffering is required in this situation. This would need to be presented as a comment. Neither the County Subdivision Regulations nor Concord Township nor do any other agencies have a buffer requirement for this situation.

Mr. Walker agreed to add this comment to the motion and Ms. Hausch agreed to add it to her second.

Mr. Zondag remarked that these comments are just something that are being brought to the Developer's and Engineer's attention in case they might not have had a chance or did not notice these issues before so they may decide to take them into consideration when they do a more thorough review.

Mr. Radachy restated the additions to the motion. The first technical comment is to look into the flooding issue and the effect of storm water runoff from adjacent properties onto the site. The second technical comment is, when calculating rates for storm water detention are done, they should be submitted to the Planning Commission. The third technical comment is that the Developer should explore the possibility of buffering along the property line. The fourth addition is a stipulation that the Developer shall review the site for historical sites, natural resources and water courses. This was agreed to by Mr. Walker and Ms. Hausch.

Six voted "Aye."  
Two opposed.  
Motion Passed.

## SUBDIVISION ACTIVITY REPORT

Mr. Radachy presented the following subdivision activity report:

- Stoneridge 1A Subdivision is on the Board of County Commissioners' agenda for Thursday, October 22, 2015.
- Stoneridge 1B Subdivision was signed this evening, but cannot be recorded until Phase 1A has been recorded. This should be done by the end of the week.

- So far in 2015, there has been 29 minor subdivision reviews. We are a little behind from last year at 33 lot splits.

#### LAND USE AND ZONING REVIEW

Mr. Radachy stated there were no zoning cases to review, but wanted to inform the members that Madison Township had a new Zoning Inspector, Mr. Christopher Bernard, formerly of Lake County Tax Maps, who had been in the private sector for a while. The Bylaws state that we can allow more than two members from each township as long as we do not exceed 12 members. We only have 10. We can probably expect a request to appoint Mr. Bernard to the Land Use and Zoning Committee once we get his resume and retaining Mr. Klco until his term expires in August 2016. Madison Township did ask us to consider removing Mr. Klco from the Committee, but Mr. Radachy was not prepared to present this to the Board at this time. This will probably be addressed next month.

#### REPORTS OF SPECIAL COMMITTEES

There were no special committee meetings.

#### CORRESPONDENCE

There was no correspondence.

#### OLD BUSINESS

There was no old business.

#### NEW BUSINESS

There was no new business.

#### PUBLIC COMMENT

There were no comments from the public.

#### ADJOURNMENT

Mr. Brotzman moved and Ms. Hausch seconded the motion to adjourn the meeting.

All voted "Aye".

The meeting adjourned 7:45 at p.m.